

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Paul J. Carter and Hongxing Zhou      Docket No.: 3492-US-PCT  
Serial No: 10/578,410      Group Art Unit: Unknown  
Filed: May 5, 2006      Examiner: Unknown  
For: ANTIBODIES THAT BIND INTERLEUKIN-4 RECEPTOR

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

STATEMENT UNDER 37 C.F.R. 3.73(b)

Immunex Corporation (hereinafter "Immunex"), a corporation of the State of Washington having a place of business at One Amgen Center Drive, Thousand Oaks, California, 91320, is the assignee of the entire right, title, and interest in the above-identified U.S. patent application. Documentary evidence of a chain of title from the original owner(s) to Immunex is demonstrated by:

- ☒ the enclosed copy of an Assignment is being filed for recordation by the United States Patent and Trademark Office.  
OR  
☐ the assignment recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_

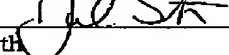
The undersigned, whose title is supplied below, is empowered to sign this statement on behalf of Immunex.

POWER OF ATTORNEY BY ASSIGNEE

Immunex hereby appoints the registered practitioners at Customer Number 22932 to prosecute this application, to make and to transact all business in the Patent and Trademark Office connected therewith.

Respectfully submitted,

Date 01 March 2007

By   
Julie Smith

Title Associate General Counsel and Patent Officer

Enclosure: Copy of Assignment

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## ASSIGNMENT

Whereas, we, Paul J. Carter, 4312 86<sup>th</sup> Avenue S.E., Mercer Island, Washington 98040, U.S.A.  
Hongxing Zhou, 6324 151<sup>st</sup> Avenue S.E., Bellevue, Washington 98006, U.S.A.

have made an invention which is the subject of an application for Letters Patent of the United States ("Application") entitled  
ANTIBODIES THAT BIND INTERLEUKIN-4 RECEPTOR

which is found in:

- ☐ (a) the US Patent Application executed on even date herewith.
- ☐ (b) the US Patent Application executed on \_\_\_\_.
- ☒ (c) US Application Serial No.: 10/578,410 filed on May 5, 2006.
- ☐ (d) US Patent No.: \_\_\_\_.

Whereas IMMUNEX CORPORATION, a Washington corporation having its principal place of business at One Amgen Center Drive, Thousand Oaks, California 91320-1799 wishes to acquire the entire interest in all inventions disclosed in such Application:

Now, therefore, in consideration of the sum of one dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, we hereby sell, assign, transfer and set over unto IMMUNEX CORPORATION, its successors and assigns (collectively "IMMUNEX") our entire right, title and interest in, to and under the Application, and any provisional application(s) from which Application is derived, and all priority rights to which the Application may be entitled, including all priority rights for other countries arising therefrom, all inventions therein disclosed, and any and all Letters Patent of the United States and of all other countries which may be granted for such inventions, or any of them, including divisional, continuation, and/or continuation-in-part applications based on the above identified Application, all such inventions and all rights in such Application and Letters Patent to be held and enjoyed by IMMUNEX for its own use and enjoyment to the full end of the term or terms for which such Letters Patent may be granted, as fully and entirely as the same would have been held and enjoyed by us had this assignment and sale not been made.

Further, we hereby sell, assign, transfer, and set over unto IMMUNEX our entire right, title and interest in or to the right to refer to, to access, and to control microorganism(s) or other biological material(s) related to the Application and which are deposited by us or at our direction or deposited on our behalf by IMMUNEX, its affiliates, employees or employees of its affiliates. The transfer of such right, title and interest includes, without limitation, our unreserved and irrevocable consent and authorization to IMMUNEX to refer to the deposited microorganisms(s) or other biological materials(s) in the Application and the right to make available to the public the deposited material in accordance with the laws, treaties, statutes, rules, regulations and the like of the United States, all other countries, and any patent granting authority or organization.

We authorize and request the Commissioner of Patents and Trademarks of the United States to issue any such Letters Patent which may be granted on the Application to IMMUNEX as assignee of the entire right, title and interest therein and thereto.

For ourselves and for our legal representatives, we covenant and agree with IMMUNEX that we have not granted to any others any license to make, use or sell any of such inventions, that our right, title and interest in such inventions has not been encumbered, that we have good right and title to sell and assign the same, and that we will not execute any instrument in conflict herewith.

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For ourselves and for our heirs, successors and legal representatives, we further covenant and agree with IMMUNEX that upon request we and they will: (i) execute continuing, divisional, or reissue applications, amended specifications, or rightful declarations or oaths; (ii) communicate to IMMUNEX any facts known to us or them relating to such inventions or the history thereof; (iii) execute preliminary statements and testify in any interference proceedings or litigation; (iv) execute and deliver any application papers, assignments, or other instruments; and (v) do all other acts which, in the opinion of counsel for IMMUNEX, may be necessary or desirable to secure the grant of Letters Patent to IMMUNEX or its nominees, in the United States and in all other countries where IMMUNEX may desire to have such inventions, or any of them, patented, with specifications and claims in such form as shall be approved by counsel for IMMUNEX and to vest and confirm in IMMUNEX or its nominees the full and complete legal and equitable title to all such Letters Patent, without further consideration than that now paid but at the expense of IMMUNEX.

In Witness Whereof I have executed this assignment on the 1<sup>st</sup> day of Feb, 2007  
Paul J. Carter  
 (Name of Inventor) [Signature]  
 (Signature of Inventor)

## UNITED STATES OF AMERICA

State of Washington } ss:  
 County of Snohomish

February 1, 2007

Before me, a Notary Public for  
Carter

County, State of Washington, personally appeared Paul J.

☐ personally known to me - OR - ☒ proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.



WITNESS my hand and official seal.

Amy L. Marceau  
 Notary Public  
Amy L. Marceau  
 My commission expires  
October 9, 2010

In Witness Whereof I have executed this assignment on the 23<sup>rd</sup> day of Feb, 2007  
Hongxing Zhou  
 (Name of Inventor) [Signature]  
 (Signature of Inventor)

## UNITED STATES OF AMERICA

State of Washington } ss:  
 County of King

February 23, 2007

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Before me, a Notary Public for King County, State of Washington, personally appeared Hongxing Zhou

☐ personally known to me - OR - ☒ proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.



Nanci M. Kertson  
Notary Public

My commission expires

June 9, 2007